

United States District Court

WESTERN DISTRICT OF VIRGINIA

SEP 19 2016

UNITED STATES OF AMERICA

CRIMINAL COMPLAINT

JULIA C. DUDLEY, CLERK
BY: *[Signature]*
DEPUTY CLERK

Donna C Moore

Natural Bridge, VA 24579

DOB: [REDACTED] 1966

SSN: [REDACTED] 7817

CASE NUMBER: NP16122405

7:16-mj-105

I Jonathan J Holter the undersigned complainant being duly sworn, state the following is true and correct to the best of my knowledge and belief. On or about 7/30/2016 in Roanoke County, VA in the Western District of Virginia defendant did,

1. Assimilated Crimes Act 18 USC 13 to wit VA Code 18.2-371 Causing or encouraging acts rendering children delinquent

I further state that I am an U.S. Park Ranger and that this complaint is based on the following facts:

While conducting traffic enforcement and investigations on the Blue Ridge Parkway near mile post 82 I observed a black Chevy Silverado bearing VA license plate DCM-JPM parked at the Fallingwater Cascades trailhead. I had observed this same truck parked at the alternate parking area for this trail head on Saturday July 16th. At that time I looked at the contents of the vehicle and saw that there was a significant amount of camouflage clothing, and radio communication equipment in this truck along with numerous packs of cigarettes. It did not appear that the occupants were typical hikers on the Parkway.

On Saturday July 30th, I set up in the wood line adjacent to this vehicle and observed, waiting the return of the occupants. At approximately 2030 hours I observed an adult male (later identified as Jesse MOORE), an adult female (later identified as Donna MOORE) and an 8-year-old female exit the wood line from the south of the parking lot. This is not a typical hiking route for Park visitors. They were dressed in camouflage and carrying backpacks, which they placed in the covered bed of the truck before approaching the passenger compartment and placing items in there. I observed that they were carrying ski poles with dirt on the tips, appeared fatigued, and had dirt on their clothing and hands. In my experience this is consistent with digging for plants and likely ginseng roots.

When asked if they had weapons, both Donna and Jesse MOORE initially stated that they did not, but later stated that they had guns in the truck. Donna MOORE stated that they had been digging ginseng roots. 3 guns were recovered from the vehicle, 2 9mm pistols and a .22 caliber rifle. The two pistols were located under the front passenger seat where Jesse Moore had been observed moving items to from the back packs on the groups return to their truck. When asked, Jesse Moore said that they (indicating himself and Donna Moore) were carrying the pistols with them while digging in their backpacks and that they both had concealed weapons permits. Their permits were confirmed as current by the State of VA.

CONTINUED ON THE ATTACHED SHEET AND MADE A PART THEREOF: ☒ YES ☐ NO

Sworn to before me and subscribed in my presence,

September 19, 2016 at
Date *12:15 p.m.*

Robert S. Banno, USMJ
Name & Title of Judicial Officer

[Signature]
Signature of Complainant

Roanoke, VA
City and State


[Signature]
Signature of Judicial Officer

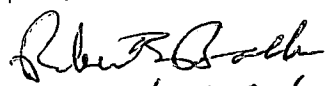
Jesse MOORE's backpack contained 22 roots. Donna MOORE's backpack contained 23 roots. The juvenile female's backpack contained 16 roots. Jesse and Donna's backpacks also contained 2 loaded magazines each, which matched the pistols found in the vehicle. When asked, Donna stated that she carried a weapon for snake and bear encounters. The caliber and type of weapon carried by both Moore subjects is not consistent with shooting these types of animals. Furthermore the number of extra magazines for these pistols is not consistent with use in warding off snakes. It is common for ginseng hunters to protect their financial interests in these roots by using easily concealed weapons for defending against theft by other diggers.

The Juvenile was wearing camo clothing and had dirt both on her pants knees and on her hands. In the presence of Donna Moore, I asked the juvenile why she was digging ginseng roots, she stated that she was "doing it for her future." I asked what she meant and she said that her grandmother, Donna, was trying to pay for attorney fees to gain custody of her from her father because her father was in some legal trouble. Donna Moore confirmed that she was "just trying to make some extra money" so that she could pay for lawyer fees to petition for custody of her granddaughter.

I asked Donna and Jesse Moore if they had any information they wanted to share about where they planned to sell the roots or any other leads on people they might know who were digging that I could pass onto the US Forest Service or VA Game and Inland Fisheries investigator. Donna said that she was a novice at digging ginseng and didn't have any valuable information on the activity. I found this slightly unusual since I had observed their vehicle parked near this area on two previous occasions and in consideration of the fact that ginseng is difficult to find and identify

The roots were assessed for possible re-planting. Of the 61 roots, 8 were determined to be damaged beyond re-plant survival. The remaining 53 roots were re-planted in suitable habitat in the area of the Park where the Moore's were stealing them. It is unknown if these delicate roots and plants will survive the replanting. Current ginseng market value ranges between 500 and 1200 per pound (approximately 40-50 roots). The current cost of replanting roots by Parkway staff is 10.00 per root.



Signature of Complainant

9/15/2014